

Message

From: Hentges, Valerie A [valerie_hentges@fws.gov]
Sent: 5/6/2020 10:33:25 PM
To: Hackler, Pam [pam.hackler@dnr.mo.gov]; Meyers, Leasue [leasue.meyers@dnr.mo.gov]; john.hoke@dnr.mo.gov; Angela Falls [Angela.Falls@dnr.mo.gov]; Michael Kruse [michael.kruse@dnr.mo.gov]; Michaelson, Dave [dave.michaelson@dnr.mo.gov]; Campbell, Jennifer [Jennifer.Campbell@mdc.mo.gov]; Dunn, John [Dunn.John@epa.gov]; Herrington, Karen [karen_herrington@fws.gov]; robert.voss@dnr.mo.gov; heather.peters@dnr.mo.gov; Weber, John S [John_S_Weber@fws.gov]
Subject: Re: [EXTERNAL] FW: Labadie 316(a) Final Variance Request

Dear Ms. Hackler,

The U.S. Fish and Wildlife Service (Service) has reviewed the information provided in your April 9, 2020, emails regarding the Clean Water Act (CWA) Section 316(a) variance request for Ameren Missouri Labadie Energy Center's (LEC) permit in Franklin County, Missouri. Based on the information provided within the CWA Section 316(a) Final Demonstration and supplemental information, the Service offers the following comments pursuant to the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531-1544).

The Service is concerned about the impacts of the LEC operations on the federally endangered pallid sturgeon (*Scaphirhynchus albus*). Ameren Missouri's contractor, ASA, collected data for the biological monitoring program during 2017 and 2018. The Service continues to have concerns regarding the effectiveness of the sampling gear used by ASA to detect benthic species such as sturgeon, as described in our comments provided in March and April of 2020 on the draft CWA 316(a) variance request and the CWA 316(b) permit renewal for LEC. For example, LEC's response to agency preliminary comments of the draft 316(a) report stated, "Overall, Asian carp species accounted for only 2.2% of numerical abundance in the 2017-2019 sampling, and 16.3% of the biomass in the combined collection." While the Service supports the removal of Asian carp from the analysis as part of the Representative Important Species (RIS) list, we would suggest that the relatively low abundance and biomass percentages accounted for by Asian carp reflect limitations in the effectiveness of the sampling gear utilized. Therefore, we recommend continued and enhanced benthic species monitoring to properly sample the ESA listed species in targeted areas of concern and habitat for pallid sturgeons.

As discussed in the Service's comment letter for the LEC CWA Section 316(b) permit renewal, the proper identification of shovelnose sturgeon (*Scaphirhynchus platyrhynchus*) is a concern for the Service. The shovelnose sturgeon is commonly mistaken for the pallid sturgeon and is often used as a surrogate for pallid sturgeon due to their use of similar habitat and life history characteristics. As in our previous comments to Ameren, the Service continues to recommend the use of genetic analysis in future studies allowing for confident determinations among the two sturgeon species.

The Service appreciates the thermal plume modeling effort conducted by Ameren. To enhance and refine this modeled information, the Service recommends that Ameren conduct an extensive thermal mapping study at LEC. A properly vetted and designed thermal mapping study could be sited in the discharge canal, plume, mixing zone, zone of passage, and thalweg during various seasons to capture temperature effects during all river conditions, especially during low flows and/or naturally high temperatures. In-river thermal mapping will show how the water is mixing stratigraphically, as well as from riverbank to riverbank, allowing a more accurate determination of the thermal effects to the river ecology, especially on the species of concern for federal and state agencies.

The Service appreciates the ability to review Ameren Missouri LEC studies and findings for their upcoming permit variance request under CWA Section 316(a). We hope these comments will assist the Ameren Missouri in their operations while also protecting the pallid sturgeon. If you have questions regarding our comments, please contact me at (573) 234-2132, ext. 173 or by email at Valerie_Hentges@fws.gov.

Sincerely,

Please review these documents at your convenience and let myself or Craig Giesmann know if there are any questions you may have.

I will be immediately sending 1 more email containing the Demonstration Report Appendices that exceeded the file size of this email. Also, as a reminder, I sent Pam a link to each separate Reference on 3/11/2020 and 3/12/2020 but would be more than glad to send the links again, if needed.

Thank you,

Meghan Kohlbusch

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